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November 8, 2017

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84

Dear Ms. Dortch:

On November 6, 2017, the undersigned, along with David Don and Brian Josef of Comcast Corporation, and Christi Barnhart of Charter Communications, Inc., met with Jay Schwarz from the Office of Chairman Pai, with Claude Aiken from the Office of Commissioner Clyburn, and with Travis Litman from the Office of Commissioner Rosenworcel, regarding the draft Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking in the above-referenced proceeding. At these meetings, we noted that the Commission has long recognized that cable providers often expand and add capacity to their broadband networks by overlying onto their existing facilities attached to utility poles, and that overlying directly advances the Commission's goals of "accelerat[ing] rapid deployment" of broadband infrastructure and "increas[ing] competition."¹ We accordingly urged the Commission to reaffirm, in its Report and Order, longstanding precedent holding that overlayers need not "obtain additional approval from or consent of the utility for overlying other than the approval obtained for the host attachment,"² and "are not required to give prior notice to utilities before overlying."³

¹ *Amendment of Commission's Rules and Policies Governing Pole Attachments*, Consolidated Partial Order on Reconsideration, 16 FCC Rcd 12103 ¶ 73 (2001), *aff'd*, *Southern Co. Servs., Inc. v. FCC*, 313 F.3d 574 (D.C. Cir. 2002).

² *Id.* ¶ 75.

³ *Southern Co.*, 313 F.3d at 582.

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Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this ex parte notification is being filed for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,

/s/

Matthew T. Murchison
of LATHAM & WATKINS LLP
Counsel for Comcast

cc: Claude Aiken
Travis Litman
Jay Schwarz